

REAL ESTATE BOARD
MINUTES OF MEETING

March 22, 2007

The Real Estate Board met at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. The following Board members were present:

R. Schaefer Oglesby, Chairman
Nathaniel Brown (arrived at 9:35 AM)
Judith L. Childress
Marjorie Clark
Carol Clarke
Florence Daniels
Scott Gaeser
Miles Leon
Byrl Taylor

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
David Ashe, Chief Deputy Director
Karen O'Neal, Deputy Director
Nick Christner, Deputy Director
Christine Martine, Executive Director
Doug Schroder, Director of Adjudication
Bonnie Rhea Adams, Director of Complaint Analysis, & Resolution
Liz Hayes, Fair Housing Administrator
Tom Perry, Property Registration Administrator
Earlyne Perkins, Legal Analyst
Chris Olson, Administrative Assistant

Tom Payne and Eric Gregory from the Office of the Attorney General were present.

Chairman Oglesby called the meeting to order at 9:13 AM.

Call to Order

Lem Marshall addressed the Board concerning the Reciprocity Agreement that the Board recently entered with West Virginia. Mr. Marshall stated that West Virginia requires all non-resident agents to be bonded and was unsure whether the agreement discussed that issue. No action was taken by the Board.

Public Comment Period

A motion was made by Ms. Clark and seconded by Mr. Leon to approve the agenda. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and

Agenda

Taylor.

A motion was made by Ms. Clarke and seconded by Ms. Daniels to adopt the following minutes: January 18, 2007, Informal Fact-Finding Conference; January 24, 2007, Informal Fact-Finding Conference (Licensing); January 24, 2007, Informal Fact-Finding Conference (Disciplinary); January 24, 2007, Education Committee Meeting; January 25, 2007, Informal Fact-Finding Conference; January 25, 2007, Board Meeting; February 1, 2007, Informal Fact-Finding Conference; February 5, 2007, Emergency Telephone Meeting; February 13, 2007, Emergency Telephone Meeting; February 15, 2007, Informal Fact-Finding Conference; February 21, 2007, Informal Fact-Finding Conference; February 22, 2007, Informal Fact-Finding Conference; and February 23, 2007, Emergency Telephone Meeting. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load. No action was taken by the Board.

In the matter of **Shelby James v. Ray Priola and George's Realty Company, Inc., REB File Number 2007-01497**, the Board agreed without dissent to defer this case to its next Board meeting to allow staff the opportunity for further investigation.

In the matter of **Larry Shelton v. Kenneth and Linda Cumins, REB File Number 2007-00013**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Kenneth and Linda Cumins, the respondents, were present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Daniels to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Board Member Nathaniel Brown arrived at 9:35 AM.

In the matter of **Christina Muzyka and Humberto Araulo v. Great Atlantic Management, Inc., Leslie Hare and Aubrey Layne, Jr., REB File Number 2007-01902**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Veronica Shepard, attorney for the respondent, and Leslie Hare, the respondent, were present and addressed the Board. A motion was made by

Minutes

Fair Housing Administrators Report

Shelby James v. Ray
Priola and George's
Realty Company, Inc.,
REB File Number 2007-
01497

Larry Shelton v. Kenneth
and Linda Cumins, REB
File Number 2007-00013

Arrival of Board Member

Christina Muzyka and
Humberto Araulo v.
Great Atlantic
Management, Inc., Leslie
Hare and Aubrey Layne,
Jr., REB File Number

Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

2007-01902

The Board considered the matter of **Pamela Maxwell & Robert Williams v. Bisger Realty Management Inc., Fred Bisger, and Joel Roberts, REB File Number 2006-03631**. Marvin Rossman, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Ms. Daniels to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Conciliation Agreement

In the matter of **Housing Opportunities Made Equal v. Bisger Realty Management, Inc., Fred Bisger, and Joel Roberts, REB File Number 2006-03640**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Marvin Rossman, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**Housing Opportunities
Made Equal v. Bisger
Realty Management,
Inc., Fred Bisger, and
Joel Roberts, REB File
Number 2006-03640**

In the matter of **Ashley Meadows v. Marty Rountree (Rowntree), REB File Number 2007-00456**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**Ashley Meadows v.
Marty Rountree
(Rowntree), REB File
Number 2007-00456**

The Board considered the matter of **Samuel Sellers v. Hercules Real Estate, Inc., Katrina Scanlan (Cindy Scanlon) and Krit Carter (Chris Carter), REB File Number 2007-02881**. A motion was made by Ms. Clark and seconded by Ms. Daniels to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Conciliation Agreement

A motion was made by Ms. Clark and seconded by Ms. Clarke to approve the Fair Housing minutes of January 25, 2007. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Fair Housing Minutes

No one addressed the Board during the **Public Comment Period**.

Public Comment

In the matter of **File Number 2006-04847, Alfredo Nunez**, the Board reviewed the Consent Order as seen and agreed to by Mr. Nunez. Mr. Nunez was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the Consent Order wherein Mr. Nunez admits to a violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 Regulations. For this violation, Mr. Nunez agrees to a monetary penalty of \$400.00 for the violation as well as \$150.00 in Board costs for a total of \$550.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2006-04847,
Alfredo Nunez

Mr. Oglesby turned the position of Chair over to Ms. Taylor and recused himself from the meeting.

Transfer of Chair

In the matter of **File Number 2006-00811, Linda Baldwin**, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Linda Baldwin, the respondent, and LEM Marshall, attorney for the respondent, were present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find no violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 regulations (Count 1). The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon and Taylor.

File Number 2006-00811,
Linda Baldwin

A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-310.2 of the Board's 1999 regulations (Count 2). The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, and Taylor. Member voting "No" was Leon.

A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-240.1 of the Board's 2003 regulations (Count 3). The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, and Taylor. Member voting "No" was Leon.

A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of §54.1-2139.B of the

Code of Virginia (Count 4). The motion passed by majority vote. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, and Taylor. Member voting “No” was Leon.

A motion was made by Mr. Gaeser and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.11 of the Board’s 2004 regulations (Count 5). The motion passed by majority vote. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, and Taylor. Member voting “No” was Leon.

A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$250.00 for the violation contained in Count 2. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$500.00 for the violation contained in Count 3. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose no monetary penalty for the violations contained in Counts 4 and 5. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or votes related to this matter.

In the matter of **File Number 2007-03080, Kevin Dalton**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Dalton, the applicant, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Dalton’s application for a real estate broker’s license due to the lack of transactional experience the Board requires of its broker’s. The motion passed

File Number 2007-03080,
Kevin Dalton

unanimously. Members voting “Yes” were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2007-03179, Debra Duckworth**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Duckworth, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Ms. Duckworth’s application for a real estate broker’s license due to the lack of transactional experience the Board requires of its broker’s. The motion passed unanimously. Members voting “Yes” were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-03179,
Debra Duckworth

In the matter of **File Number 2007-03079, Marvin Brown**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Gaeser and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Brown’s application for a real estate broker’s license due to the lack of transactional experience the Board requires of its broker’s. The motion passed unanimously. Members voting “Yes” were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-03079,
Marvin Brown

In the matter of **File Number 2006-05502, Hilda Rochford**, the Board reviewed the Consent Order as seen and agreed to by Ms. Rochford. A motion was made by Ms. Daniels and seconded by Ms. Clark to reject the proposed Consent Order and instead re-offer a Consent Order wherein Ms. Rochford admits to a violation of 18 VAC 135-20-260.7 (Count1) and 18 VAC 135-20-260.8 (Count 2) of the Board’s 2004 Regulations and agrees to a monetary penalty of \$700.00 for the violations as well as \$150.00 in Board costs for a total of \$850.00. In addition, Ms. Rochford agrees that her license will be placed on Probation until such time as she provides evidence acceptable to the Board that she has attended and successfully completed four (4) hours of continuing education pertaining to real estate law. It is acknowledged that satisfactory completion of the above-referenced continuing education course will not count towards any continuing education requirements, if applicable, for renewal of license. If Ms. Rochford does not accept the Consent Order within fourteen (14) days the matter will be referred to an Informal Fact-Finding Conference. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

File Number 2006-05502,
Hilda Rochford

As the reviewing Board member, Mr. Oglesby did not participate in the discussion or vote related to this matter

In the matter of **File Number 2007-02428, Gregory Etter**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Clarke and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Etter's application for a real estate broker's license due to the lack of transactional experience the Board requires of its broker's. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02428,
Gregory Etter

Mr. Oglesby returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2007-03176, Ann Rizk**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Rizk, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Rizk's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-03176,
Ann Rizk

In the matter of **File Number 2007-03181, James Zeigler**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Zeigler, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Zeigler's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-03181,
James Zeigler

In the matter of **File Number 2007-02886, Scott Bernard**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Bernard, the applicant, was present and

File Number 2007-02886,
Scott Bernard

addressed the Board. A motion was made by Mr. Leon and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Bernard's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2007-03174, Sandra Davis**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Davis, the applicant, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204 of the Code of Virginia, approve Ms. Davis' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-03174,
Sandra Davis

In the matter of **File Number 2007-02514, Angie Lundy**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Lundy, the applicant, was present and addressed the Board. A motion was made by Ms. Taylor and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204 of the Code of Virginia, deny Ms. Lundy's application for a real estate salesperson's license due to the lack of evidence regarding rehabilitation or rehabilitative effort, and Ms. Lundy's failure to submit reference and/or character letters, specifically from her potential broker indicating awareness of the conviction. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby and Taylor.

File Number 2007-02514,
Angie Lundy

In the matter of **File Number 2007-024736, Farouk Abdelwahed**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Abdelwahed, the applicant, was present and addressed the Board. A motion was made by Mr. Leon and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of

File Number 2007-
024736, Farouk
Abdelwahed

Virginia, approve Mr. Abdelwahed's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2007-02426, Richard Lee Brown**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Brown, the applicant, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Mr. Leon to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Brown's application for a real estate salesperson's license subject to an Agreement for Licensure for a period of one year with quarterly reporting by both Mr. Brown and his broker. The Board also requests that Mr. Brown re-submit a new application in his own handwriting. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02426,
Richard Lee Brown

In the matter of **File Number 2007-02427, Paul Braut**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Braut, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Braut's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02427,
Paul Braut

In the matter of **File Number 2007-02064, Chad D. Jordan**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Jordan, the applicant, and Mr. Wilson, attorney for the applicant, were present and addressed the Board. A motion was made by Mr. Leon and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Jordan's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Childress, Clarke, Daniels, Gaeser, and Leon. Members voting "No" were Brown, Clark, Oglesby, and Taylor.

File Number 2007-02064,
Chad D. Jordan

In the matter of **File Number 2007-02513, James Napper**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Napper, the applicant, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Napper's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02513,
James Napper

In the matter of **File Number 2007-02517, Kimberly Powell**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Powell, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Powell's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02517,
Kimberly Powell

In the matter of **File Number 2007-02471, Scottie Booker**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Booker, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Booker's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Clark, Clarke, Daniels, Gaeser, Leon, and Oglesby. Members voting "No" were Brown, Childress, and Taylor.

File Number 2007-02471,
Scottie Booker

In the matter of **File Number 2007-02560, Felicia Tsoa**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Tsoa, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Mr. Leon to accept the recommendation contained in the Summary of the

File Number 2007-02560,
Felicia Tsoa

Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Tsoa's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2007-02691, Bridgett Williams**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Williams, the applicant, was present and addressed the Board. A motion was made by Mr. Leon and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Williams' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2007-02691,
Bridgett Williams**

The Board recessed from 11:25AM to 11:55AM

Break

Eric Gregory, Assistant Attorney General, updated the Board on the Koger Management Group matter. No action was taken by the Board.

Receivership Update

Doug Schroder and Bonnie Rhea Adams gave Board training on the complaint process. No action was taken by the Board.

Board Member Training

In the matter of **File Number 2007-01690, Augusto Arostegui**, the Board reviewed the Consent Order as seen and agreed to by Mr. Arostegui. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the proposed Consent Order wherein Mr. Arostegui admits to a violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 Regulations and agrees to a monetary penalty of \$750.00 for the violation as well as \$150.00 in Board costs for a total of \$900.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2007-01690,
Augusto Arostegui**

In the matter of **File Number 2007-00153, James E. Patterson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Patterson. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the proposed Consent Order wherein Mr. Patterson admits to a violation of §54.1-2132.A.4 of the *Code of Virginia* and agrees to a monetary penalty of \$500.00 for the violation as well as \$150.00 in Board costs for a total of \$650.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2007-00153,
James E. Patterson**

In the matter of **File Number 2007-00237, Russell Gordon Bell**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bell. A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the proposed Consent Order wherein Mr. Bell admits to a violation of 18 VAC 135-20-280.1 of the Boards 2003 Regulations and agrees to revocation of licensure for the violation as well as \$150.00 in Board costs. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Oglesby.

File Number 2007-00237,
Russell Gordon Bell

As the reviewing Board member, Ms. Taylor did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2007-00547, Frank Oddo**, the Board reviewed the Consent Order as seen and agreed to by Mr. Oddo. A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the proposed Consent Order wherein Mr. Oddo admits to a violation of 18 VAC 135-20-260.5 (Count 1) and 18 VAC 135-20-260.6 (Count 2) of the Boards 2004 Regulations and agrees to a monetary penalty of \$200.00 for the violation as well as \$150.00 in Board costs for a total of \$350.00. In addition, for violation of Counts 1 and 2, Mr. Oddo agrees to provide to the Board, on a quarterly basis for a period of two years, a statement from his principal broker confirming that Mr. Oddo is in compliance with the rules and regulations of the Board. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor, and Oglesby.

File Number 2007-00547,
Frank Oddo

As the reviewing Board member, Mr. Leon did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2007-00077, John D. Burks**, the Board reviewed the Consent Order as seen and agreed to by Mr. Burks. A motion was made by Mr. Gaeser and seconded by Ms. Clark to accept the proposed Consent Order wherein Mr. Burks admits to a violation of §54.1-2132.A.2.c of the *Code of Virginia* and agrees to a monetary penalty of \$200.00 for the violation as well as \$150.00 in Board costs for a total of \$350.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-00077,
John D. Burks

As the reviewing Board member, Ms. Daniels did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2005-04338, Wanda May Behrman**, the Board reviewed the record which consisted of the disciplinary file,

File Number 2005-04338,
Wanda May Behrman

transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Gaeser and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find no violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor.

As the presiding Board member at the Informal Fact-Finding Conference, Ms. Daniels did not participate in the discussion or votes related to this matter.

In the matter of **File Number 2006-01349, Fiaz Anwar**, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Leon and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 of the Board's 2003 regulations (Count 1), 18 VAC 135-20-185.C.3 of the Board's 2004 regulations (Count 2), 18 VAC 135-20-310.2 of the Board's 1999 regulations (Count 3), 18 VAC 135-20-260.10 of the Board's 2003 regulations (Count 4), 18 VAC 135-20-210.A of the Board's 1999 regulations (Count 5), 18 VAC 135-20-260.11 of the Board's 2003 regulations (Count 6), and 18 VAC 135-20-170.A.1 of the Board's 2004 regulations (Count 7). The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor.

File Number 2006-01349,
Fiaz Anwar

A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,500.00 for the violation contained in Count 1, \$2,500.00 for the violation contained in Count 2, \$1,500.00 for the violation contained in Count 3, \$2,500.00 for the violation contained in Count 4, \$2,500.00 for the violation contained in Count 5, \$500.00 for the violation contained in Count 6, and \$1,000.00 for the violation contained in Count 7 for a total monetary penalty of \$13,000.00. In addition, for the violations of Count 1-7, the Board imposed revocation of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor.

As the reviewing Board member, Ms. Daniels did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2006-05283, Ranchie Banzon Gonzales**, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-180.B.1.a of the Board's 2003 regulation. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor

File Number 2006-05283,
Ranchie Banzon
Gonzales

A motion was made by Ms. Clark and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$500.00 for the violation. In addition, for the violation, the Board Mr. Gonzales' license will be place on Probation until such time as he provides evidence acceptable to the Board that he has attended and successfully completed four (4) hours of continuing education pertaining to contracts. Satisfactory completion of the above-referenced course will not count towards any continuing education requirements for renewal of licnese. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Leon, Oglesby, and Taylor.

As the reviewing Board member, Ms. Daniels did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2007-02885, Sharon Crook-Hanna**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Leon and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Crook-Hanna's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2007-02885,
Sharon Crook-Hanna

In the matter of **File Number 2007-02472, Ilona Fox**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Clarke and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms.

File Number 2007-02472,
Ilona Fox

Fox's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Ms. Martine updated the Board on the 2007 Legislative session. No action was taken by the Board.

Legislation Update

Ms. Childress gave the Education Committee Report. A motion was made by Ms. Taylor and seconded by Ms. Clark to accept the March 21, 2007, Education Committee Report. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Gaeser, Leon, Oglesby, and Taylor. Ms. Clarke and Ms. Daniels abstained from voting in this matter.

Education Committee Report

Tom Perry updated the Board on the Common Interest Community Management Fund RFP's. No action was taken by the Board.

Other Business

Christine Martine updated the Board on the Customer Service Initiative that the Real Estate staff has begun. No action was taken by the Board.

There being no further business, the Board adjourned at 1:40 PM.

Adjourn

R. Schaefer Oglesby, Chairman

Jay DeBoer, Secretary